



Department of
**State Development,
Manufacturing,
Infrastructure and Planning**

Our ref: RPI18-019/Talinga Orana

18 January 2018

Mr Chris Bignill
Environmental Approvals Lead
Australia Pacific LNG Pty Limited ABN 68 001 646 331
GPO Box 148
Brisbane QLD 4001

Via email: EnvApprovals@upstream.originenergy.com.au

Dear Mr Bignill

DECISION NOTICE

RPI18-019/Talinga Orana

(given under section 51 of the *Regional Planning Interests Act 2014*)

The Department of State Development, Manufacturing, Infrastructure and Planning (DSDMIP) advises that the assessment application (that was properly made on 20 November 2018) for the construction and operation of resource activities associated with the Talinga Orana Project has been approved. The subject land is described as Lot 52 on BWR104.

Assessing Agencies

Agency	Area of Regional Interest	Date of assessing agency final response
Department of Agriculture and Fisheries	Priority Agricultural Area	11 December 2018
Department of Natural Resources, Mines and Energy	Strategic Cropping Area	18 December 2018

Reasons for the decision

DSDMIP has determined that the proposed resource activities meet applicable Required Outcome 1 in the Priority Agricultural Area assessment criteria, as contained in the RPI Act. That is, the subject land is not used for a priority agricultural land use. Accordingly, the Department of Agriculture and Fisheries has not recommended any conditions regarding the Priority Agricultural Area regional interest, as the listed resource activities

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will not impact such land.

This development approval further confirms that 7.90 hectares of disturbance is permitted on land in the Strategic Cropping Area to enable the construction and operation of the listed resource activities. The applicant has demonstrated that the impact of the resource activities has been minimised as much as possible.

The Department of Natural Resources, Mines and Energy have recommended that conditions be imposed to mitigate impacts of the resource activities on the Strategic Cropping Area. This would involve the applicant returning the disturbed land to its pre-existing condition. The department concurs and has included conditions of approval to this end, as part of the approval package.

The attached Regional Interests Development Approval confirms the nature and extent of the resource activities the subject of this approval.

Appeals

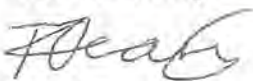
- The period in which any appeal under Part 5 of the *Regional Planning Interests Act 2014* must be started is set out in Attachment 1.
- How rights of appeal under Part 5 of the *Regional Planning Interests Act 2014* are to be exercised are set out in Attachment 1.

This decision takes effect when the "appeal period" for the decision ends. The "appeal period" means the period ending on the last day on which an appeal against the decision may be started (see s73 in Attachment 1).

The Regional Interests Development Approval is enclosed.

If you require any further information, please contact Darren Brewer, Manager - Development Assessment and Advisory Team, on 3452 7472 or RPIAct@dsgmip.qld.gov.au who will be pleased to assist.

Yours sincerely



Tim O'Leary

A/Director

Development Assessment Division

enc. Regional Interests Development Approval

Attachment 1 - Extract from the *Regional Planning Interests Act 2014*

Part 5 Appeals and declarations

71 Definitions for pt 5

In this part—

affected land owner, for a regional interests decision, means an owner of land (**affected land**) that may be adversely affected by the resource activity or regulated activity because of—

- (a) the proximity of the affected land to the land the subject of the decision; and
- (b) the impact the activity may have on an area of regional interest.

court means the Planning and Environment Court under the *Sustainable Planning Act 2009*.

regional interests decision means each of the following decisions—

- (a) a decision to grant a regional interests development approval;
- (b) a decision to impose a condition on a regional interests development approval;
- (c) a decision to refuse all or part of an assessment application;
- (d) a decision to make, or refuse to make, a requested amendment to a regional interests development approval.

72 Appeal to Planning and Environment Court

The following may appeal (an **appeal**) against a regional interests decision to the court—

- (a) the applicant;
- (b) if the applicant is not the owner of the land—the owner of the land;
- (c) an affected land owner.

Note—

See the *Sustainable Planning Act 2009*, chapter 7, part 1 for provisions about the powers, processes and procedures of the court, including, for example—

- section 457 (Costs);
- section 495 (Appeal by way of hearing anew);
- division 12 (Alternative dispute resolution).

73 Appeal period

- (1) An appeal may be started only within 20 business days after—
 - (a) for a person who received a decision notice, or a copy of a decision notice, for the decision—the notice was received; or
 - (b) for an affected land owner for a regional interests decision—notice of the decision was published under section 52.
- (2) However, the court may at any time extend the time for starting the appeal.

74 Respondent for appeal

- (1) The chief executive is the respondent for the appeal.
- (2) If the appellant is not the applicant for the decision, the applicant is a co-respondent for the appeal.
- (3) If the appellant is not the owner of the land for the decision, the owner of the land may apply to the court to be a co-respondent for the appeal.
- (4) If the appeal is about an assessing agency's response, the assessing agency is a co-respondent for the appeal.
- (5) If the appeal is only about an assessing agency's response, the chief executive may apply to the court to withdraw from the appeal.

75 Notice of appeal to other parties

- (1) An appellant must, within 10 business days after starting an appeal, give notice of the appeal to each of the following—
 - (a) a respondent or co-respondent for the appeal;
 - (b) if the appellant is not the owner of land for the regional interests decision—the owner of the land.
- (2) The notice must state—
 - (a) the grounds of the appeal; and
 - (b) if the person given the notice is the owner of the land—that the person may apply to the court to be a co-respondent for the appeal.

76 Stay of operation of decision

- (1) The starting of an appeal does not stay the operation of the decision appealed against.
- (2) However, the court may stay the operation of the decision to secure the effectiveness of the appeal.
- (3) A stay—
 - (a) may be given on reasonable conditions as the court considers appropriate; and
 - (b) operates until the first of the following happens—
 - (i) the period fixed by the court ends;
 - (ii) the appeal is decided, withdrawn or dismissed; and
 - (c) may be revoked or amended by the court.

77 Who must prove case for appeal

- (1) In an appeal by the applicant for a regional interests decision, it is for the appellant to establish the appeal should be upheld.
- (2) In an appeal by either of the following, it is for the applicant for a regional interests decision to establish the appeal should be dismissed—
 - (a) if the applicant is not the owner of the land—the owner of the land;
 - (b) an affected land owner.

REGIONAL INTERESTS DEVELOPMENT APPROVAL (RIDA) 18 January 2019

RPI18/019 – Australia Pacific LNG Pty Limited ABN 68 001 646 331 - Talinga Orana project.

(Given under section 53 of the *Regional Planning Interests Act 2014*)

Description of the land

Real property description: Lot 52 on BWR104
Local Government Area: Western Downs Regional Council

Approved activities

The approved resource activities are set out in Table 1 below.

Definitions of the resource activities are included in Table 2 below.

This development approval confirms that the subject land is not used for a priority agricultural land use. Accordingly, there are no conditions regarding the Priority Agricultural Area regional interest, as the listed resource activities will not impact such land.

This development approval further confirms that 7.90 hectares of disturbance is permitted on land in the Strategic Cropping Area to enable the construction and operation of the listed resource activities. The conditions relate to the Strategic Cropping Area.

Table 1: Approved resource activities

Area of regional interest	Location	Resource activity	Area of disturbance (hectares)
Strategic Cropping Area	Lot 52 on BWR104	Gas gathering station	1.5
		Ancillary linear infrastructure	6.4
			Total disturbance: 7.9

Table 2: Definitions

Resource activity	Definition
Gas gathering station	<p>A facility for the collection and distribution of gas including:</p> <ul style="list-style-type: none"> • Electric compressor packages • Above-ground and below ground water and gas pipelines • Power supply and electrical instrumentation equipment, including switch rooms • Concrete slab and connection points for portable nitrogen bottles • Rainwater tank and pumps • Dry store • Security fencing • Laydown and car parking • Ancillary equipment.
Ancillary linear infrastructure	<p>Linear infrastructure connected to gas gathering station, including:</p> <ul style="list-style-type: none"> • Underground gas pipelines • Underground water pipelines • Underground power and fibre optic cables • Pipeline signage, drains, vents and valve and inspection pits.

Regional interests conditions

A person who is the holder of, or is acting under, this RIDA must not contravene a condition of this approval.

Condition number	Condition	Timing for condition
1.	<p>Carry out the approved resource activities and disturbance of land generally in accordance with:</p> <ul style="list-style-type: none"> a) The activities identified in Table 1: Approved resource activities b) The activities defined in Table 2: Definitions of Activities c) The approved plan, being <i>Regional Interests Development Application TOGGS – Regional Interest, Agricultural Areas, and Land Use Mapping</i>, Rev 1 and dated 15 November 2018 (refer Attachment 1). 	At all times
2.	<p>The applicant must:</p> <ul style="list-style-type: none"> a) reinstate the area disturbed by the construction and operation of the gas gathering station to its pre-activity condition; and b) restore the area disturbed by the construction and operation of the gas gathering station to its pre-activity condition. 	<ul style="list-style-type: none"> a) Within two (2) months of decommissioning. b) Within six (6) months of decommissioning.
3.	<p>The applicant must:</p> <ul style="list-style-type: none"> a) reinstate the area disturbed by the construction and 	<ul style="list-style-type: none"> a) Within two (2) months of completion of

	<p>operations of the ancillary infrastructure to its pre-activity condition; and</p> <p>b) restore the area disturbed by the construction and operation of the ancillary infrastructure to its pre-activity condition.</p>	<p>construction and maintained for the life of the project.</p> <p>b) Within two (2) months of decommissioning.</p>
4.	<p>Buried linear infrastructure and any material (other than topsoil or subsoil) such as gravel, concrete or sand encasing the infrastructure, must be located to a minimum depth of 900 mm.</p>	<p>At all times.</p>
5.	<p>The applicant must retain records of the pre-disturbance, post-reinstatement and post-restoration condition of impacted land and make these records available to the Chief Executive upon request. Such records must include:</p> <p>a) photographs of the pre-disturbance site conditions of the disturbance areas; and</p> <p>b) photographs of the post-reinstatement site conditions demonstrating that the impacted SCA land has been returned to its pre-activity condition; and</p> <p>c) photographs of the post-restoration site conditions for the disturbed areas of SCA land.</p> <p>The applicant must provide the chief executive with the records and photographic evidence (date and GPS stamped) required by parts a) to c) of this condition via: RPIAct@dilqp.qld.gov.au</p> <p>The notification to the chief executive must state the application reference number, being RPI18-019.</p> <p>Note: The following definitions apply to this condition:</p> <p>'pre-disturbance' – the condition of the subject land immediately before any resource activities occurred.</p> <p>'post-reinstatement' – following the construction phase, being the return of the soil to its previous profile, topography and drainage.</p> <p>'post-restoration' – this is the point at which the ground cover has been established and ponding, erosion, subsidence, etc has been dealt with (being a longer process than the reinstatement phase).</p>	<p>a) Prior to commencement of activities</p> <p>b) Within three months of completing all post-reinstatement works.</p> <p>c) Within three months of completing all restoration works.</p>
7.	<p>a) All complaints received, and resulting actions taken, about the impact of the approved activities on the attributes of the SCA must be recorded. The record must include:</p> <p>i) name, address and contact number of the complainant</p> <p>ii) time and date of complaint</p> <p>iii) reasons for the complaint</p> <p>iv) investigations undertaken</p>	<p>a) At all times.</p> <p>b) Within three business days of receipt of the complaint</p>

	<p>v) conclusions formed vi) actions taken to resolve the complaint vii) any abatement measures implemented viii) person responsible for resolving the complaint.</p> <p>b) The records of any complaints received and recorded in accordance with this condition must be provided to the chief executive to RPIAct@dilgp.qld.gov.au</p> <p>The record of complaint provided to the chief executive must state the application reference number, being RPI18-019.</p>	
8.	<p>A full copy of the regional interests development approval must be kept on-site and available to any person(s) contracted to undertake the approved activity, throughout the construction, operation and restoration period.</p>	At all times.

General Advice

It is the applicants' responsibility prior to works commencing on site to ensure all relevant approvals and licenses are obtained from the applicable Local, State, and/or Federal Authorities.